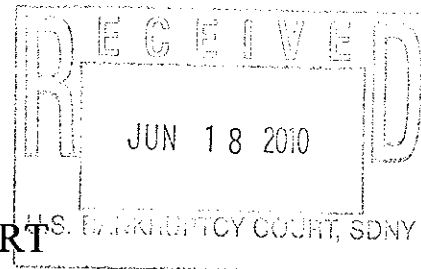


B 210A (Form 210A) (12/09)



UNITED STATES BANKRUPTCY COURT

Southern District of New York

In re Lehman Brothers Holdings, Inc., et al.,

Case No. 08-13555 (jointly administered)

TRANSFER OF CLAIM OTHER THAN FOR SECURITY

A CLAIM HAS BEEN FILED IN THIS CASE or deemed filed under 11 U.S.C. § 1111(a). Transferee hereby gives evidence and notice pursuant to Rule 3001(e)(2), Fed. R. Bankr. P., of the transfer, other than for security, of the claim referenced in this evidence and notice.

Cloud Peak Energy Resources LLC

Name of Transferee

Rio Tinto Energy America, Inc.

Name of Transferor

Name and Address where notices to transferee should be sent:

Bryan J. Pechersky, Cloud Peak Energy, Inc.,
505 S. Gillette Ave., Gillette, WY 82716

Phone: 307-687-6045

Last Four Digits of Acct #: _____

Court Claim # (if known): 14948

Amount of Claim: \$4,212,000.00

Date Claim Filed: 09/17/2009

Phone: 801-204-2805

Last Four Digits of Acct. #: _____

Name and Address where transferee payments should be sent (if different from above):

Phone: _____

Last Four Digits of Acct #: _____

I declare under penalty of perjury that the information provided in this notice is true and correct to the best of my knowledge and belief.

By: _____

Transferee/Transferee's Agent

Amy J. Stefonick, Secretary

Date: 5/24/2010

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 & 3571.

EVIDENCE OF TRANSFER OF CLAIMS

Rio Tinto Energy America, Inc., for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and pursuant to a Master Separation Agreement and/or Acquisition Agreement, acknowledges and certifies that it has unconditionally and irrevocably transferred and assigned to Cloud Peak Energy Resources LLC any and all claims of Rio Tinto Energy America, Inc. against Lehman Brothers Holdings, Inc. and affiliates, specifically including Claim No. 14948, in the amount of \$4,212,000.00 against Lehman Brothers Commodity Services, Inc., and Claim No. 14949, in the amount of \$4,212,000.00 against Lehman Brothers Holdings, Inc., filed in the bankruptcy cases of Lehman Brothers Holdings, Inc. and its affiliates, Case No. 08-13555, jointly administered, in the United States Bankruptcy Court for the Southern District of New York.

Rio Tinto Energy America, Inc. hereby waives any objection and any notice or hearing requirements imposed by Rule 3001, F.R.B.P., or any other applicable law or rules, and acknowledges and stipulates that an order may be entered recognizing this transfer of claims and recognizing Cloud Peak Energy Resources LLC as the valid owner of the above-described claims. All future payments and distributions on account of the above-described claims, and all notices relating to such claims, are to be made and given to Cloud Peak Energy Resources LLC, as the proper holder of such claims.

Dated as of May 24, 2010

RIO TINTO ENERGY AMERICA, INC.

By: _____

Name: _____

Title: _____

CLOUD PEAK ENERGY RESOURCES LLC

By: _____

Name: _____

Title: _____

EVIDENCE OF TRANSFER OF CLAIMS

Rio Tinto Energy America, Inc., for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and pursuant to a Master Separation Agreement and/or Acquisition Agreement, acknowledges and certifies that it has unconditionally and irrevocably transferred and assigned to Cloud Peak Energy Resources LLC any and all claims of Rio Tinto Energy America, Inc. against Lehman Brothers Holdings, Inc. and affiliates, specifically including Claim No. 14948, in the amount of \$4,212,000.00 against Lehman Brothers Commodity Services, Inc., and Claim No. 14949, in the amount of \$4,212,000.00 against Lehman Brothers Holdings, Inc., filed in the bankruptcy cases of Lehman Brothers Holdings, Inc. and its affiliates, Case No. 08-13555, jointly administered, in the United States Bankruptcy Court for the Southern District of New York.

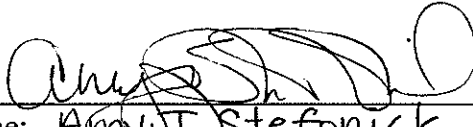
Rio Tinto Energy America, Inc. hereby waives any objection and any notice or hearing requirements imposed by Rule 3001, F.R.B.P., or any other applicable law or rules, and acknowledges and stipulates that an order may be entered recognizing this transfer of claims and recognizing Cloud Peak Energy Resources LLC as the valid owner of the above-described claims. All future payments and distributions on account of the above-described claims, and all notices relating to such claims, are to be made and given to Cloud Peak Energy Resources LLC, as the proper holder of such claims.

Dated as of May 24, 2010

RIO TINTO ENERGY AMERICA, INC.

By: _____
Name: _____
Title: _____

CLOUD PEAK ENERGY RESOURCES LLC

By:  _____
Name: Amy J. Stefonick
Title: Secretary